IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

Bail Appl..No. 3921 of 2007(A)

(CRIME NO. 207/2007 of THRITHALA POLICE STATION)

PETITIONER: ACCUSED:

RAZACK @ ABDUL RAZACK AGED 26 YEARS,
S/O.SULAIMAN, PAVUTTAPURATH HOUSE,
KUMARANELLUR, KAPPUR VILLAGE, OTTAPPALAM.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS: COMPLAINANT:

STATION HOUSE OFFICER, THRITHALA POLICE
STATION REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT, ERNAKULAM.

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3921 of 2007

Dated this the 29th day of June, 2007

ORDER

Application for regular bail. The petitioner allegedly committed rape on the defacto complainant on 04.11.2006. The marriage of the petitioner with another woman was allegedly scheduled to take place on the next day. The victim did not make any prompt complaint. Long later, realising that she was pregnant, she filed a complaint before the police on 24.05.2007. Crime was registered. Petitioner was arrested on 25.05.2007. He continues in custody from that date. The delay in filing the complaint is explained with the version that the petitioner promised to marry the victim also.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that appropriate safeguards in the interests of a fair, efficient and expeditious investigation may be imposed and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-